

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
MONROE DIVISION**

STATE OF MISSOURI, ET AL.,

CIVIL ACTION NO. 3:22-cv-01213

VERSUS

JUDGE: TERRY A. DOUGHTY

JOSEPH R. BIDEN, ET AL.

**MAGISTRATE JUDGE: KAYLA D.
MCCLUSKY**

DECLARATION OF ROBERT F. KENNEDY, JR.

I, Robert F. Kennedy, Jr., declare as follows:

1. I am a member of the State Bar of New York and of numerous Federal District and Appellate Courts, and one of the counsel of record for Plaintiff Children's Health Defense ("CHD") in its declaratory relief action against Meta Platforms, Inc. ("Meta" or "Facebook") and Mark Zuckerberg to enjoin their ongoing censorship of CHD in concert with Federal Government officials under the First Amendment. *Children's Health Defense v. Meta Platforms, Inc., et al.*, No. 21-16210 (9th Cir.) (Oral argument May 17, 2022). This declaration is made in support of the Applicants' Notice of Motion and Motion to Intervene for Access to Discovery and for its Filing as Judicial Record, or for *In Camera* Inspection in *Missouri v. Biden, et al.* No. 3:22-cv-01213-TAD-KDM. If called as a witness, I could and would testify competently to the facts herein, except as to those matters stated on information and belief.

2. I am the founder and chairman of Children's Health Defense ("CHD"), a public health advocacy organization. CHD and I are both online Covid 19-news publishers whom the

federal government defendants in this case have censored on major social media platforms. These defendants have engaged in such censorship in order to curb the CHD's and my fervent, and fact-based criticism of the government's response to the Covid-19 pandemic and to silence our disfavored facts and opinions concerning a variety of subjects, including: Covid 19's lab-leak origin, the comparative benefits of early treatment and natural immunity, and the risks or inefficacy of Covid-19 vaccines mandated under emergency use authorizations.

3. I come from a family of devoted public servants, and was raised in that proud tradition. I am fortunate to have become in my own right a well-known attorney and best-selling author. Over decades of legal service, I have fought and won major battles against governments and large corporations on behalf of the poor, children, minorities, and the environment, often on the basis of facts that were at first denied and derided, but later proven true. Children's Health Defense, the non-profit organization I founded and serve as chairman, is dedicated to informing the public about, and fighting against, various threats to children's health. During the COVID pandemic, I along with CHD, and *The Defender* (CHD's weekly electronic newsletter) became important sources of news about COVID and the COVID vaccines for hundreds of thousands of people. CHD and I adhere to the highest standards of accuracy and scientific expertise in all of their news reporting, supporting every claim they publish with links to scientific studies and government databases, and employing a board of eminent scientific advisors to ensure accuracy.

4. Prior to being censored, shadow-banned, and ultimately de-platformed, I had 800,000 followers on Instagram and millions of viewers on YouTube. In late 2020 and early 2021, I and CHD through *The Defender* reported (accurately): (a) that according to U.S. health authorities' own estimates, COVID's infection fatality rate ("IFR") among children and adults under 50 was lower than the widely reported IFR for the seasonal flu; (b) that official COVID

mortality figures were likely inflated because such figures included all deaths of individuals who had tested positive for COVID, rather than only deaths caused by COVID; (c) that a leading, internationally recognized physician had testified to Congress about ivermectin's ("IVM's") extraordinary life-saving potential as a treatment for COVID; and (d) that the COVID vaccines presented certain undisclosed risks and dangers.

5. As a result of publishing these prohibited claims (on information and belief since Meta refused to inform me of its specific grounds), I was de-platformed from Instagram (where I had 800,000 followers) on February 11, 2021, and both I and CHD have been repeatedly censored and shadow-banned. We were de-platformed from Facebook on August 17, 2022, and from YouTube on or about September 29, 2021.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct to the best of my knowledge and that this declaration was executed in Malibu, California, on November 16, 2022.



ROBERT F. KENNEDY, JR.